IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OFS FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 1124 of 2005

Between:

1.Surampalli Srinivasa Rao, S/o. Venkatanarayana,
Residents of Pandregupalli Village, Mudigonda Mandal, Khammam District.
2.Surampalli Venkataiah, S/o. Late Achaiah,
Residents of Pandregupalli Village, Mudigonda Mandal, Khammam District.
3.Surampalli Ramaiah, S/o. Late Achaiah,
Residents of Pandregupalli Village, Mudigonda Mandal, Khammam District.
4.Surampalli Babu, S/o. Peraiah,
Residents of Pandregupalli Village, Mudigonda Mandal, Khammam District.
5.Ponugoti Veera Babu, S/o. China Kotaiah,
Residents of Pandregupalli Village, Mudigonda Mandal, Khammam District.

..... PETITIONERS

AND

1 The Director of Mines and Geology, Government of A.P., BRKR Offices

Complex, Tank Bund, Hyderabad.
2 The Assistant Director of Mines and Geology, Khammam.
3 Dhanala Venkata Krishnaiah, S/o. Venkateswarlu,
R/o. H.No. 4-2-151/1, Srinivasanagar, Khammam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an order or direction or writ under Article 226 of the Constitution of India, more particularly one in the nature of Writ of Mandamus directing the second respondent to dispose of the petitioners representation dated 12-1-2005 by canceling the quarry lease granted in favour of the third respondent, by proceedings of the first

respondent in Roc No. 25390/R2-3/2004 dated 11-9-2004 for excavating black granite stone in an extent of 1.520 hectares in Sy.Nos.94 and 95 of Pandregupalli Village, Mudigonda Mandal, Khammam District.

Counsel for the Petitioners: MR.C.DAMODAR REDDY

Counsel for the Respondent Nos.1 & 2: GP FOR MINES AND GEOLOGY

Counsel for the Respondent No.3: Smt. Shobha N.

The Court made the following:

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.1124 OF 2005

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ORDER :

Heard the learned Counsel for both the parties and perused the material on record.

As can be seen from the material on record, third respondent herein was granted quarry lease for Black Granite over an extent of 1.520 hectares in Sy.Nos.94/Ru, 94/E and 94/A and 95/AA and 95/OO of Pandregupally Village, Mudigonda Mandal, Khammam District, by the 2nd respondent by proceedings dated 15-09-2004. The petitioners claim that they are the absolute owners and pattadars of the land in respect of which the quarry lease has been granted and therefore they made a representation before the second respondent on 12-01-2005 with a request to cancel the mining lease granted in favour of the third respondent. The only grievance of the petitioners is that the second respondent failed to consider the said representation made by the petitioners and no orders have been passed so far.

Having heard the learned Counsel for both the parties, without expressing any opinion with regard to the claim of the petitioners, I deem it appropriate to dispose of the writ petition with a direction to the second respondent to consider the representation made by the petitioners dated 12-01-2005 and to pass appropriate orders in accordance with law after, affording due opportunity the petitioners as well

as the third respondent. The said exercise shall be completed within a period of eight weeks from the date of receipt of this order.

The Writ Petition is accordingly disposed of. No costs.

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03rd February, 2005.

Note:- CC in one week.

(B/O)

gbs

To

1 The Director of Mines and Geology, Government of A.P., BRKR Offices

Complex, Tank Bund, Hyderabad.
2 The Assistant Director of Mines and Geology, Khammam.

3 2CCs to the G.P., for Mines and Geology, High Court Buildings, Hyderabad

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